IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(SPECIAL ORIGINAL JURISDICTION)

FRIDAY THE THIRD DAY OF DECEMBER,
TWO THOUSAND AND FOUR
: PRESENT :
THE HON'BLE MR. JUSTICE : L. NARASIMHA REDDY.
W.P. No. 21749 of 2004

Between:
K. Kondal Rao.

Petitioner

AND

1. Government of A.P., rep. by its Principal Secretary, Excise Department, Secretariat, Saifabad, Hyderabad.
2. Commissioner of Prohibition & Excise, Nampally, Hyderabad.
3. Excise Superintendent, Prohibition & Excise Eluru, West Godavari District.
4. Ramadevi Wines Licence No. 636/98-99, Mypa Village Palakoderu Mandal, West Godavari District, rep. by its Licence Holder Sri A. Yesu Babu, R/o. Bondadapeta Kalla Mandal, West Godavari District.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a writ, order, direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in recommending the case of the 4th respondent for shifting of his I.L. 24 Liquor Vend vide its Licence No. 636/98-99 from Mypa Village, Palakoderu Mandal, West Godavari District to Kodavalli, Bheemavaram Municipality as being illegal, arbitrary, unconstitutional and contrary to the provisions of the A.P. Excise Act and the Rules made thereunder and also opposed to the Excise Policy notified by the first respondent and further declare the action of the respondent No. 2 in considering the said recommendation made by the 3rd respondent for the purpose of permitting the 4th respondent for such shifting of his Retail I.L 24 Licence Vend vide its Licence No. 636/98-99 as being illegal, arbitrary and unconstitutional.

The petition coming on for orders upon perusing the petition and the affidavit filed herein and the order of the High Court dated 26-11-2004 and made herein and upon hearing the arguments of Mr. Patlolla Venkat Reddy, Advocate for the Petitioner and the Govt. Pleader for Prohibition and Excise, on behalf of the Respondent Nos. 1 to 3 , the Court made the following

ORDER:

"Post on 9-12-2004 in motion list.
The order of Status quo granted by this Court on 26-11-2004, is extended till 10-12-2004."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Principal Secretary, Government of A.P., Excise Department, Secretariat, Saifabad, Hyderabad.
2. The Commissioner of Prohibition & Excise, Nampally, Hyderabad.
3. The Excise Superintendent, Prohibition & Excise Eluru, West Godavari District.
4. Sri A. Yesu Babu, Licence Holder, Ramadevi Wines Licence No. 636/98-99, Mypa Village Palakoderu Mandal, West Godavari District, R/o. Bondadapeta, Kalla Mandal, West Godavari District.
4. Two CCs to Govt. Pleader for Prohibition & Excise, High Court of A.P., Hyderabad. **(OUT)**
5. One spare copy.

BV

HIGH COURT

DATED : 26-11-2004

Note : Post on 03-12-2004

ORDER

W.P. No. 21749 of 2004

Status quo till 03-12-2004.

HIGH COURT

USR

DRAFTED ON : 27-11-2004

LNRJ APPROVED ON :

DATED: 26-11-2004

Note : Post on 03-12-2004

ORDER

W.P. No. 21749 OF 2004

Status quo till 03-12-2004